

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13690 of 2017

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Yash Enterprises Offset Printers And Govt. Supplier Through Its Authorised Signatory Manoj Kumar S/o Baldeo ji resident of Goverdhan Market, Machhua Toli, Patna, P.S.-Kadamkuan, Dist.-Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna
2. The Director, Primary Education Bihar, Patna.
3. The District Education Officer, Katihar.
4. The District Project Officer, Establishment, Katihar.
5. District Magistrate, Katihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Suman Kumar, Advocate
For the State	:	Mr. S.C. Mishra, SC-16
		Mr. Madhukar Mishra, AC to SC-16

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

2 13-04-2023 In the instant writ petition, petitioner has prayed for
the following relief(s):-

“(i) For issuance of an appropriate writ(s), direction or order commanding and directing the respondent to quash and set aside the tender notice dated 12-08-2017 issued by respondent District Program Officer (Establishment)katihar by which a tender has been issued for supply of registered/ format for use in primary and middle school of Katihar from small scale industries, GST and income tax. registered unit

In the said tender notice in clause



5 has been inserted that the bidder should submit with the tender VAT return of Rs. Sixty lakh from 01-04-2014 to 30-06-2017 and clause 14 that the bidder should have registered under small scale industry department for atleast ten years.

The aforesaid clause 5 is illegal and against the law because any requirement for the end of any financial year but in the instant case they have demanded 01-04-2014 to 30-06-2017 in place of 01-04-2014 to 31-03-2017 similarly in all most government department the requirement is the bidder should be registered for maximum three years under small scale industry.”

2. There is no interim order insofar as staying the subject matter of tender notice dated 12.08.2017. Therefore, one has to presume that it has already spent its force.

3. Hence, the present writ petition stands disposed of as it has become infructuous.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

Ashish/Daya/-

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